

JUN 27 2005

<b>CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8</b> I hereby certify that this correspondence, totaling 47 pages including rectified attachments, is being facsimile transmitted to the United States Patent and Trademark Office at facsimile no.: (703-872-9306) on the below date: Date: <u>June 27, 2005</u> Name: <u>Ashley L. Rhoades</u> Signature: <u>Ashley L. Rhoades</u>		
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**BRINKS  
HOFER  
GILSON  
& LIONE**
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: A. Dale Maddox et al.

Appln. No.: 09/578,810

Filed: May 24, 2000

For: SEALING BLADE

Attorney Docket No: 10970-009

Examiner: Robert B. Davis

Art Unit: 1722

 MS Petitions  
 Commissioner for Patents  
 P. O. Box 1450  
 Alexandria, VA 22313-1450

**TRANSMITTAL**

Sir:

**Attached is/are:**

- ☒ Request for Acceptance of Previously Filed Document (2 pages); Exhibits A-C (44 pages)  
☐ Return Receipt Postcard

**Fee calculation:**

- ☒ No additional fee is required.  
☐ Small Entity.  
☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_).  
☐ An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		Not a Small Entity	
					Rate	Add'l Fee	or Rate	Add'l Fee
Total		Minus			x \$25=		x \$50=	
Indep.		Minus			x 100=		x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=		+\$360=	
					Total	\$	Total	\$

**Fee payment:**

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.  
☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2036 is attached).  
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

June 27, 2005

Date

Eric J. Sosenko (Reg. No. 84,440)

JUN 27 2005

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Appln. of: A. Dale Maddox et al.

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**REQUEST FOR ACCEPTANCE OF PREVIOUSLY FILED DOCUMENT**

Pursuant to 37 C.F.R. § 1.8(b), Petitioners/Applicants hereby request acceptance of, and action upon, a document previously filed with the United States Patent and Trademark Office ("Office"). Specifically, Petitioners/Applicants request the acceptance and granting of Petitioner's previously filed Second Petition to Withdraw Holding of Abandonment, filed with the Office on March 12, 2003. Upon contacting the Office on June 8, 2005, it was learned that the Office has no record of receiving the Second Petition to Withdraw Holding of Abandonment.

In support of this Request, the undersigned hereby states as follows:

1. The Second Petition to Withdraw Holding of Abandonment (Exhibit A) (hereinafter just the "Second Petition") was caused to be mailed by the undersigned via first class mail to the Office on March 12, 2003, as indicated by the Certificate of Mailing provided thereon and signed by the undersigned's administrative assistant Ashley L. Rhoades.

2. The declaration of Ashley Rhoades attesting to the facts of paragraph 1 is attached hereto as Exhibit B. The Certificate of Mailing establishes that the Second Petition was timely mailed to the Office on March 12, 2003.

**BRINKS  
HOFER  
CILSON  
ATTORNEYS**

Appln. No. 09/578,810

Attorney Docket No. 10970-009

3. The Second Petition was in fact received by the Office on March 17, 2003. A copy of the Petitioners/Applicants' Return Receipt Postcard, bearing the Office's date stamp of March 17, 2003, is attached hereto as Exhibit C. The date stamped return receipt postcard serves as prima facie evidence that the Second Petition was in fact received by the Office.

4. Having not received a response to the Second Petition, a Status Inquiry (Exhibit D) was filed via facsimile to the Office on April 8, 2005.

5. Having not received a response to the Status Inquiry, on June 8, 2005 a telephone call was placed to Art Unit 1722, the art unit to which the present application is assigned. It was then that Petitioners/Applicants first learned the Office had no record of the filing of the Second Petition.

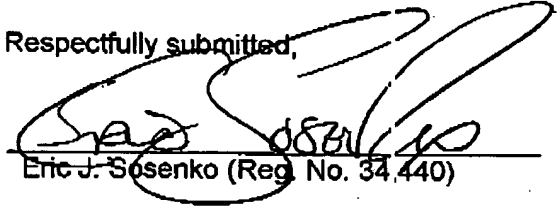
6. All statements made herein on personal knowledge are true. All statements made herein on information and belief are believed to be true.

Respectfully submitted,

June 27, 2005

Date

EJS/alr

  
Eric J. Sosenko (Reg. No. 34,440)

BRINKS  
HOFFER  
GILSON  
& LIGNE